

the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. For a copy of the Consent Decree, please enclose a check for \$11.50 (\$.25 per page reproduction charge) payable to "Consent Decree Library."

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment & Natural Resources Division.*

[FR Doc. 95-185 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental; Blackbird Mining Response, Co. et al., Compensation, and Liability Act**

Consistent with Department of Justice policy, 28 CFR 50.7, notice is hereby given that on December 22, 1994, a proposed consent decree in *United States v. Blackbird Mining Co., et al. and State of Idaho, et al. v. The M.A. Hanna Company*, Consolidated Case No. 83-4179 (D. Idaho), was lodged with the United States District Court for the District of Idaho. The consent decree resolves claims against the Union Carbide Corporation, one of several defendants named in this action, brought under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, to accomplish the clean up of the contamination, and restoration of the natural resources, at the Blackbird Mine in central Idaho and for the recovery of past and future response costs. The United States' claims were filed in June 1993 against the past and current owners and operators of the mine on behalf of the United States Forest Service and United States National Oceanic and Atmospheric Administration acting as natural resource trustees and on behalf of the EPA. The United States case was consolidated with a case filed by the State of Idaho in 1983 against most of the same parties.

This settlement is with Union Carbide, a successor to the Haynes-Stellite Company, which mined a very small amount of copper and cobalt at the Site for a brief period during World War I. With the exception of Union Carbide, all the named defendants either conducted mining activities during the later years of production or are the current owners. The area of the Site impacted by the Haynes-Stellite Company is distinct and separated geographically from the main mine workings of concern. The total waste

contributed to the Site from the Haynes Stellite Company is minimal. The proposed consent decree resolves the United States' and Idaho's claims only against Union Carbide and has no effect on the claims against any of the other defendants, or any counterclaims or cross-claims against any of the other parties. Pursuant to the proposed consent decree, Union Carbide Corporation will pay \$250,000 to the Plaintiff Governments in return for dismissal from the action and contribution protection.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and refer to *United States v. Blackbird Mining Co., et al. and State of Idaho, et al. v. The M.A. Hanna Company*, DOJ number 90-11-2-816.

Copies of the proposed consent decree may be examined at the Office of the Attorney General, Chief Natural Resources Division, 700 W. Jefferson, Suite 210, Boise, Idaho; Office of the United States Attorney, 877 W. Main Street, Suite 201, Boise, Idaho; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the consent decree, please enclose a check in the amount of \$4.25 (25 cents per page reproduction costs) payable to the "Consent Decree Library". When requesting a copy please refer to *United States v. Blackbird Mining Co., et al. and State of Idaho, et al. v. The M.A. Hanna Company*, Consolidated Case No. 83-4179 (D. Idaho), DOJ Case number 90-11-2-816.

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-186 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Consent Decree Pursuant to the Clean Water Act**

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed modified consent decree in *United States v. City of Brodhead, Kentucky and Commonwealth of Kentucky*, Civil Action No. 88-331, was lodged on

December 16, 1994, with the United States District Court for the Eastern District of Kentucky, (London Division).

The proposed modified consent decree resolves the United States' civil claims against the City of Brodhead ("City") and the Commonwealth of Kentucky for violations of the City's National Pollutant Discharge Elimination System ("NPDES") Permit, the Clean Water Act, 33 U.S.C. §§ 1251 et seq. and the consent decree originally entered in this case on January 31, 1989. The proposed modified consent decree requires that the City pay the United States \$5,000 in stipulated penalties for its violations of the original consent decree. The proposed modified decree also requires the City to perform additional construction and rehabilitation of its existing wastewater treatment plant.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed modified consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Brodhead, and Commonwealth of Kentucky*, DOJ Ref. #90-5-1-1-3205A.

The proposed consent decree may be examined at the office of the United States Attorney, 110 W. Vine Street, Suite 400, Lexington, Kentucky 40507; the Region IV Office of the Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-187 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Consent Decree Pursuant to the Clean Water Act; Gulf Chemical & Metallurgical Corp.**

In accordance with Departmental policy, 28 CFR and 50.7, notice is hereby given that on December 21, 1994,

a proposed consent decree in *United States v. Gulf Chemical & Metallurgical Corp.*, Civil Action No. H-93-0100, was lodged with the United States District Court for the Southern District of Texas. This consent decree represents a settlement of claims against Gulf Chemical and Metallurgical Corp. for violations of the Clean Water Act.

On January 12, 1994, the United States filed a Complaint pursuant to Section 309 of the Clean Water Act ("CWA" or "the Act"), 33 U.S.C. 1319, for injunctive relief and assessment of civil penalties against Gulf Chemical and Metallurgical Corporation. On December 6, 1993, the United States filed its Second Amended Complaint. The Second Amended Complaint sought injunctive relief and the assessment of civil penalties from GCMC and alleged that Gulf violated the conditions and limitations of its NPDES Permit No. TX0034738 by discharging pollutants in excess of the permit's effluent limitations, failing to comply with the compliance schedule in Part I.B. of the permit, failing to comply with the permit's monitoring and reporting requirements, and bypassing Outfall 001 in violation of Part II.B.4 of the permit; and that Gulf failed to comply with the requirements of Administrative Order VI-89-058 issued by EPA on November 30, 1988. Subsequently, the United States and Gulf Chemical and Metallurgical Corp. reached a settlement which resolves the issues set forth in the Second Amended Complaint. Under this settlement between the United States and Gulf Chemical and Metallurgical Corp., Gulf Chemical and Metallurgical Corp. will pay the United States a civil penalty of \$750,000. In addition, the consent decree provides for stipulated penalties for violations by Gulf Chemical and Metallurgical Corp. of effluent limitations in NPDES permit TX0034738.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Gulf Chemical and Metallurgical Corp.*, D.J. ref. 90-5-1-1-2297A.

The proposed consent decree may be examined at the Office of the United States Attorney, Southern District of Texas, 910 Travis, Suite 1500, Houston, TX, and at Region VI, Office of The Environmental Protection Agency, 1445 Ross Ave, Dallas, TX 75202-2733, and at the Consent Decree Library, 1120 G

Street, N.W., 4th Floor, Washington, D.C. 20005. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$4.75 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-188 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice of Lodging of Consent Decree Pursuant to the Clean Air Act; J.F. Shea, Inc.**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. J.F. Shea, Inc.*, Civil Action No. 94-2100 GEB (E.D. Calif.), was lodged on December 21, 1994, with the United States District Court for the Eastern District of California. This is a civil action against J.F. Shea, Inc., under Section 113(b) of the Clean Air Act ("Act"), 42 U.S.C. 7413(b), for violation of provisions of the Act and of the regulations for New Source Performance Standards ("NSPS") applicable to owners and operators of hot mix asphalt facilities, 40 CFR Part 60, Subpart I.

The violations of the NSPS regulations involved emissions of excessive particulate matter at J.F. Shea, Inc.'s hot mix asphalt facility at Redding, California. The Complaint sought civil penalties and injunctive relief to ensure future compliance with the NSPS regulations. Under the Consent Decree, J.F. Shea will pay a civil penalty of \$100,000. J.F. Shea is required by the Consent Decree to conduct a source performance test within one year to establish continued compliance with the applicable particulate matter emission limitation.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. J.F. Shea, Inc.*, DOJ Ref. #90-5-2-1-1904.

The proposed consent decree may be examined at the office of the United States Attorney, Eastern District of California, 555 Capitol Mall, Suite 1550, Sacramento, California 95814; the

Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$4.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-189 Filed 1-4-95; 8:45 am]

BILLING CODE 4410-01-M

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## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

#### **Federal Advisory Council on Occupational Safety and Health; Notice of Meeting**

Notice is hereby given that the Federal Advisory Council on Occupational Safety and Health, established under Section 1-5 of Executive Order 12196 of February 26, 1980, published in the **Federal Register**, February 27, 1980 (45 FR 1279), will meet on February 1, 1995, starting at 1 p.m., in Room S-4215 ABC, of the Frances Perkins Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210. The meeting will adjourn at approximately 4 p.m., and will be open to the public.

The agenda provides for:

- I. Call to Order
- II. Appointments to FACOSH
- III. Voluntary Protection Program (VPP) in the Federal sector
- IV. Re-energizing the Federal safety and health program
- V. OSHA Reform in the Federal sector
- VI. Priorities of OSHA's Office of Federal Agency Programs
- VII. Revise Executive Order 12196
- VIII. Revising the 1960 Regulations
- IX. Evaluations of Federal safety and health programs
- X. New Business
- XI. Adjournment

Written data, views or comments may be submitted, preferably with 20 copies, to the Office of Federal Agency Programs, at the address provided below. All such submissions, received by close of business January 25, 1995, will be provided to the members of the